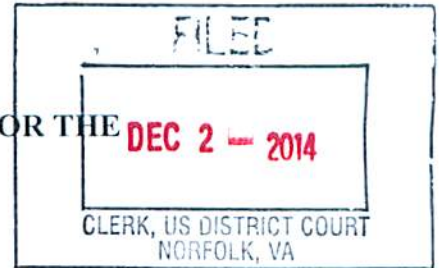


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Newport News Division



SHERYL MCCRAY,

Plaintiff,

v.

UNITED STATES OF AMERICA, ET AL.

Defendant.

Civil Action No. 4:14cv158
(Formerly No. CL14001589-00 in the
Circuit Court for the City
of Hampton)

NOTICE OF REMOVAL

Please take notice that, on December 2, 2014, the United States of America files this Notice of Removal in the office of the Clerk of the United States District Court for the Eastern District of Virginia, Norfolk Division, and in support of such removal respectfully represents:

1. Sergeant First Class Jonah A. Jancewicz has been named a defendant in an action styled *Sheryl McCray v. Infused Solutions, LLC, et al.*, Case No. CL14001589-00, which is pending in the Circuit Court for the City of Hampton, Virginia, and in which no trial has yet been had. This United States District Court embraces the place in which the state court action is pending.

2. The United States Attorney's Office received a copy of the Complaint setting forth the claim for relief upon which this action is based. Copies of the Complaint and all process, pleadings and orders filed in this case are included as Exhibit 1 to this Notice. The Complaint alleges claims of defamation, and seeks monetary damages on account thereof.

3. In accordance with 28 U.S.C. § 2679, and by virtue of the authority vested in him under 28 C.F.R. § 15.4, the United States Attorney for the Eastern District of Virginia has certified

that Sergeant First Class Jancewicz was acting within the scope of his office or employment as an employee of the United States at the time of the incident in question. Exhibit 2.

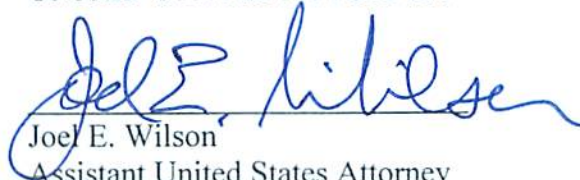
4. The above-styled action is one which shall be removed to this Court pursuant to 28 U.S.C. §§ 1346(b), 1446 and 2679, in that the plaintiff has initiated suit for money damages for injury, loss of property, and/or death caused by the allegedly negligent or wrongful act or omission of an employee of the United States while acting within the scope of his office or employment. Therefore, the action lies solely against the United States of America, and the United States District Court has exclusive jurisdiction of the action.

5. A copy of this notice is being filed, on December 3, 2014 with the Clerk of the Circuit Court for the City of Hampton, Virginia, pursuant to 28 U.S.C. § 1446.

Respectfully submitted,

DANA J. BOENTE
UNITED STATES ATTORNEY

By:



Joel E. Wilson
Assistant United States Attorney
Virginia State Bar No. 71701
Attorney for the Defendant,
United States of America
Office of the United States Attorney
for the Eastern District of Virginia
101 West Main Street, Suite 8000
Norfolk, VA 23510
757- 441-6331 Office
757-441-6689 Fax
joel.wilson@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of December, 2014, I will file the foregoing with the Clerk of Court and I hereby certify that I will mail the document by U.S. mail, postage prepaid, to the following:

Melissa J. Howell, Esq.
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Counsel for Defendant Ardelle Associates, Inc.

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Counsel for Defendant Infused Solutions, LLC and Jamie Baker

And I hereby certify that I will mail the document by U.S. mail, postage prepaid, to the following non-filing user:

Sheryl T. McCray
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Hampton, VA 23666
Plaintiff Pro se


Joel E. Wilson
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Virginia State Bar No. 71701
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